

DISTRICT III ADVISORY BOARD
MINUTES FOR MAY 2000
7:00 p.m.

The District Advisory Board III was held in room 117, Colvin Mini-City Hall, 2820 S. Roosevelt.

Members Present

Brent Turnispeed

Jim Gulick

Lois Ann Newman

Bill Ward

Gene Furrh

Ora Nestleroad

Phyllis Hall

Phil Bloomquist

Judy Dillard

John Kemp

Vice-Mayor Phil Lambke

Sammy Rivera, DAB Staff

Members Absent

Sharon Askew

Guests

Officer Matt Brown, WPD

Officer Michael Hungria, WPD

Officer Brian Sigman, WPD

Sarah Gilbert, Career Development Center

Donna Goltry, MAPC

Pat Burnett, City Clerk

Vice-Mayor Phil Lambke called the meeting to order at 7:01 p.m.

The agenda minutes was approved as submitted.

PUBLIC AGENDA

Kathryn Lundrigan, Wichita State University Student working in Planeview request a proposal for basement to be added to the new Mini-City Hall.

Mrs. Lundrigan was unable to attend the meeting due to complications with her pregnancy.

Scott Wituk, Also a WSU student, came in her behalf to speak about the proposal and stated the following:

- a) WSU Students / Faculty worked for the last four to five months to develop this petition;
- b) 110 Constituents signed the petition to request the construction of a storm shelter or a basement to serve as a shelter to protect residents of Planeview against severe storms and tornadoes;
- c) A large sector of Planeview's population does not speak English, so the petition was written in several languages; English, Spanish and Vietnamese.
- d) The petitioner's request is to build at least a safe room in the new Mini-City Hall Building;
- e) Mr. Wituk did not provide the Board with an estimated cost of implementation of this project;
- f) He mentioned that in the past, neighbors of Planeview had attempted to break-in to the Colvin Community Center Building when they heard the tornado alarms sound in their area in order to seek immediate shelter;
- g) There are companies out there like Home Depot, that are willing to cooperate with materials to support the construction of such projects that benefits low income communities;

- h) **The WSU / Healthy Options for Planeview group** is seeking Board support for this project in order to present it to the City Council ,

DAB Member Judy Dillard asked **Mr. Vice-Mayor Lambke** about the plans to build the new Mini City Hall in the area where it is currently located and **Vice-Mayor Lambke** responded that the plans to build the new Mini-City Hall in this particular location are not final yet and he is recommending to the City Manager other centric locations in the District, **Mr. Vice-Mayor Lambke** also told Board members that because the current Mini-City Hall is located here in the edge of the District; it is difficult for many of his constituents to come to this office,

DAB Member William Ward asked **Mr. Scott Wituk** about the potential size of the shelter recommended in order to accommodate a group of residents of Planeview during severe storms , and **Mr. Wituk** responded that his group needs to do more research with FEMA in order to find out the exact size of shelter that the community needs and that he does not know the demographics in order to determine the exact accommodation needed, **Vice-Mayor Lambke** thanked **Mr. Wituk** for his presentation and told him that are not currently any funds available in the budget for this purpose;

DAB Member John Kemp asked **Mr. Wituk** if his group has considered the option of using an above ground concrete storm shelter that can be placed an individual residential dwelling to protect the residents of that home rather than building with a big basement or storm room, and **Mr. Wituk responded** that he thought of using the Mini-City Hall first,

DAB Member Gene Furrh asked **Mr. Wituk** if his organization has made any contacts with FEMA to obtain federal funding for this project and **Mr. Wituk** responded that the Federal Emergency Management Agency is currently more interested on working on projects that involve the matching of funds between agencies and citizens and that will also have Community interest and Community involvement.

DAB Member Lois Newman commented that the City of Wichita has to take the lead on building storm shelters for our citizens , and **Vice-Mayor Lambke** responded the City is not responsible for constructing shelters for their citizens.

DAB Member Ora Nestelroad commented that in order to be able to make a recommendation to the City Council on this matter, more research is needed including the cost of it.

The Board recommended more research on these areas before further discussion.

PLANNING

REQUEST: Presentation on Downzoning from Residential / Light Commercial to Residential only.

MAPC Zoning Expert Donna Goltry made a presentation on downzoning and spoke before the Board about the following topics:

- a) Zoning patterns on Sedgwick County since 1997;
- b) Zoning is defined as the classification of land into districts for the purpose of regulating the use of land, including the use, placement and size of buildings;
- c) The purpose of Zoning is to protect and promote the health, safety, morals and and general welfare of the public. Also, it is the primary means of trying to assure that nearby land uses are compatible with each other;
- d) There are 19 different base Zoning classifications, or districts, and seven special purpose and overlay districts;
- e) To find out what someone's property is Zoned in the City of Wichita, a person must contact the Metropolitan Area Planning Commission or the Office of Central Inspection.
- f) There are certain steps that needs to be taken in order to apply for a zone change:
- g) The property owner has to determine what zoning district is needed for the desire use;
- h) The proposed development plan is then exposed and explained to a Planner or a Zoning Administrator of the MAPC;
- A Zone change application can be submitted to the MAPC by the property owner, once the appropriate district has been determined;
- The owner must also submit a certified list of property owners within the required notification area, which range varies from 200 feet to a 1,000 feet, depending on size and location of the application area;
- **On downzoning applications, only the owners of the five adjacent properties or lots within a radius of 200 feet needs to be notify;**
- Depending on the type of request and the size of the development, the MAPC may require site plans.

Only the owner of the property can apply for this process unless someone else meets the following criteria;

The other person has a purchase contract on the property or the purchaser has the owner's signature on the application;

The likelihood of successfully changing the zoning designation of a site, such as a residence, varies depending on:

- 1) Compatibility of the proposed change with surrounding uses and the consistency with the goals of the comprehensive development plan for the area;
- 2) The cost of rezoning an area may vary from \$ 400.00 dollars to \$ 900.00 dollars;
The filing fees are based on two factors:
The size of the property and the zoning district being request;

- Once this portion has been completed, there is a Hearing process that consist of:
A public hearing is scheduled by the MAPC;
A notice of the meeting is published in the newspaper.
The property owners on the certified ownership list filed with the application are also notified of the hearing by first class mail;
- **For downzoning purposes only public notification is required, but not written notification.**
- **A Public Entity such as The MAPC or The City Council can also initiate the action of downzoning or rezoning a small or large area by covering the cost and making it easier to be approved.**
- **There are isolated cases that are considered on an individual basis, but the large cases must involve the notification and consensus of neighbors.**
The District Advisory Board will consider this request at one of its regular meetings, prior to the official MAPC meeting, and it will make a recommendation to the Metropolitan Area Planning Commission, and a the MAPC will conduct a public hearing;
The applicant or agent should attend these meetings to present the rezoning request and respond to questions from the various boards and the public,
After the public hearings and recommendations by the MAPC are made, the rezoning request is then sent to the Wichita City Council for final approval or disapproval.
The processing time on a rezoning application may take between 60 to 90 days, if there are no deferrals;
Often a property must be platted or replatted before the zone change becomes effective , and this actions will take additional time and involves another fee and review by several committees;
Anyone who owns property within 200 feet of a zone change request site inside Wichita can protest a zone change request;
The property owner can make this protest by filing a petition with Wichita City Clerk Office within 14 days following the public hearing by the MAPC;
In order to be valid, the petition needs to be signed by all owners of a protesting property;
If a rezoning request has been denied or withdrawn no new rezoning application can be filed within one year on the same property or portion thereof.

BOARD AGENDA

1. Community Service Block Grant Oversight Committee (CSBG)

Sara Gilbert is the **Career Development Director for the City of Wichita**, and her department is responsible for administering the Community Service Block Grant funds in the City of Wichita. She spoke about the following items:

There are a total of 800,000 dollars available in funds every year and the Federal Government allocates that money to be use to directly benefit residents of low income communities;

This Federal program requires an Advisory Board of 12 members to serve on an oversight commiteee to review how these funds are used;

The CSBG Board meets four times per year on its first year and represents the whole community as it requires the participation of two DAB members per district;

It will meet once a year afterwards and its first meeting is schedule for June of 2000;

These funds are use to pay for community benefits such as streets and general lights used at Community Centers and it also help to pay for a clerk to assist citizens at the Community Centers.

These funds are also used to finance **Project Access**, a program of the **Sedgwick County Medical Society** that links low income people to health care providers that are able to provide the medical / dental services needed by these individuals. The CSBG funds go to the payment of prescription drugs;

Vice-Mayor Phil Lambke appointed the following DAB members for the **CSBG Committee**:

Phyllis Hall and Brent Turnispeed

2. Presentation on Water Pollution and Prevention on the Arkansas River

Mr. Jack Brown, Environmental Health Director was scheduled to make a presentation on this topic, but was unable to attend due to being called for a disposition at City Hall all day long;

- **Vice-Mayor Lambke** spoke to DAB members the following about the topic:

He said there is a Citywide effort to obtain funds to clean the river; and that some taxpayer's and that some taxpayer's money will be committed to clean the river,

The water that is coming into the City limits is clean according with the samples taken so far;

However, the water that leaves the City is contaminated and that water pollution occurs somewhere within City limits and the City is planning to do further testing in several areas in order to pinpoint the contamination source and location;

Mr. Jack Brown sent an e-mail apologizing for not been able to come and with a letter of explanation about this topic, and a copy of that letter has been attached,

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Dear District Advisory Board #3 Members:

I want to apologize for not being able to attend tonight's meeting and provide you with an update on the Arkansas River Water Quality. Your DAB Neighborhood Assistant, Sammy Rivera, had properly notified me about the meeting but my schedule simply would not allow me to attend. I will be happy to attend a future DAB meeting and may have better information to share with you at that time since we are taking the following actions regarding river quality issues:

1. A sampling effort that involves the urban stretches of the Big and Little Arkansas River was initiated on Monday, May 1, 2000 and will continue. The Health Department has done this sampling annually since 1994 before and during the River Festival. The results of that sampling will be available next week at the earliest. The purpose of this sampling will be to advise the community and River Festival officials of the status of the river for festival events.
2. I have asked KDHE to clarify some of their standards and definitions regarding water quality in relation to the testing results we will be receiving
3. The City Manager's Office has asked staff to arrange for a meeting with KDHE to clarify and better define water quality issues in the Arkansas River in general in regard to the statements they have made regarding impairment along certain stretches of the river.
4. Staff will be asking KDHE for more technical support and sampling in the Arkansas River and tributaries to for the purpose of more adequately defining water quality impacts.

The main issue we are dealing with right now is not industrial or point source discharges, but the sanitary quality of the Arkansas River water from runoff, particularly during heavy rains. It is believed the impacts that we are dealing with now may come from agricultural and urban animal waste products, septic tank leaks and similar activities.

Again, please accept my apologies, I hope that you will invite me to a future meeting so that I can update you on the status of the above action items and respond to your questions.

Sincerely,

Jack Brown

2. Selection of First Pro Temp and Second Pro Tem

The following individuals were appointed by Vice-Mayor Lambke as first and second pro temp:

- a. **William Ward –First Pro Temp**
- b. **Phil Bloomquist-Second Pro Temp**

4. Discussion of Subcommittees

- **Vice-Major Lambke** appointed the following Board Members to the three Subcommittees:

I Capital Improvement & Planning

- **Ora Nestelroad**
- **Judy Dillard**
- **Gene Fuhr**
- **Jim Gulick**

II DAB Liaison and Communication

- **Lois Newman**
- **Sharon Askew**

The purpose of this sub-committee is to communicate with other boards in the City and to build-up relationships between Board members in the City of Wichita in order to help each other with problems and issues,

Vice-Mayor Phil Lambke told Board Members that the District Advisory Board has a great chance to influence City Council, but that all the Boards have to operate and work together as a team;

III Traffic

- **William Ward**
- **Phil Bloomquist**

IV Code Enforcement and Nuisance Ordinances

- **John Kemp**
- **Phyllis Hall**

One of the items that this committee will look closely will be new regulations for vehicles and houses noise.

V Housing

- **Brent Turnispeed**

PROBLEM PROPERTIES

- **DAB Member Lois Newman** reported the following problem:
- **2116 S. Broadway**, A lot of trash all over the house.

- **DAB Member Gene Fuhr** reported the following problem:
- **2630 Larkin**, a lot of trash all over the place, destroyed fence, construction material on backyard.

OTHER BUSSINESS

- No other business was presented by or to the board.

Adjourn

With no further business, the meeting was adjourned at **8:35 p.m.**

Respectfully submitted,

Sammy Rivera
District III Neighborhood Assistant